

**PHARMACY EXAMINING BOARD
MEETING MINUTES
June 4, 2014**

PRESENT: Thaddeus Schumacher, Charlotte Rasmussen, Franklin LaDien, Terry Maves, Kristi Sullivan, Cathy Winters, Philip Trapskin

STAFF: Dan Williams-Executive Director; Jelena Gagula-Bureau Assistant; Gretchen Mrozinski-Legal Counsel, and other Department Staff

CALL TO ORDER

Thaddeus Schumacher called the meeting to order at 9:04 a.m. A quorum of seven (7) members was confirmed.

ADOPTION OF AGENDA

MOTION: Philip Trapskin moved, seconded by Kristi Sullivan, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 26, 2014

MOTION: Kristi Sullivan moved, seconded by Terry Maves, to approve the minutes of March 26, 2014 as published. Motion carried unanimously.

APPEARANCE – DSPS STAFF PHAR 8.10 DISCLOSURE OF SUSPICIOUS ORDERS OF CONTROLLED SUBSTANCES

MOTION: Kristi Sullivan moved, seconded by Cathy Winters, to request DLSC staff to take a random sampling of the reports received and present to the Screening Panel for consideration. Screening Panel to report results of findings to the Board at a future meeting. Motion carried unanimously.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

MOTION: Philip Trapskin moved, seconded by Terry Maves, to request DSPS staff draft a Scope Statement regarding Act 199 as it relates to the implementation of the PDMP reporting requirements, the length of time the records are kept, and the required elements of the record. Motion carried unanimously.

MOTION: Philip Trapskin moved, seconded by Terry Maves, to request DSPS staff draft a Scope Statement regarding Act 199 Relating to Photo ID and include exemption of delivery of a drug by mail. *Motion fails.*

MOTION: Terry Maves moved, seconded by Franklin LaDien, to request DSPS staff to research information regarding exemption of delivery of a drug by mail relating to Act 199. Motion carried unanimously.

MOTION: Philip Trapskin moved, seconded by Kristi Sullivan, to approve the Scope Statement on Phar 2 and 4 relating to Application and Examination for Pharmacists for submission to the Governor’s Office and publication and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

MOTION: Charlotte Rasmussen moved, seconded by Kristi Sullivan, to approve the Adoption Order for Clearinghouse Rule 13-075. Motion carried unanimously.

MOTION: Philip Trapskin moved, seconded by Cathy Winters, to request DSPS staff draft a Scope Statement regarding the word “emergency” in Phar 8.07(2). Motion carried unanimously.

MOTION: Philip Trapskin moved, seconded by Charlotte Rasmussen, to approve the Adoption Order for Clearinghouse Rule 13-076. Motion carried unanimously.

MOTION: Philip Trapskin moved, seconded by Terry Maves, to approve the Adoption Order for Clearinghouse Rule 14-003 contingent upon approval of JCRAR, and authorizing the Chair to sign the adoption order. Motion carried unanimously.

MOTION: Philip Trapskin moved, seconded by Cathy Winters, to approve the Adoption Order for Clearinghouse Rule 14-023 contingent upon approval of JCRAR, and authorizing the Chair to sign the adoption order. Motion carried unanimously.

SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATIONS REQUESTS

MOTION: Cathy Winters moved, seconded by Kristi Sullivan, to delegate Franklin LaDien to coordinate with Dean Arneson in regards to the 2015 NABP District 4 Regional Meeting and report back to the Board with updates. Motion carried unanimously.

CLOSED SESSION

MOTION: Kristi Sullivan moved, seconded by Charlotte Rasmussen, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Thaddeus Schumacher read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Franklin LaDien-yes; Cathy Winters-yes; Kristi Sullivan-yes; Thaddeus Schumacher-yes; Terry Maves-yes; Charlotte Rasmussen-yes; Philip Trapskin-yes. Motion carried unanimously.

The Board convened into Closed Session at 1:20 p.m.

RECONVENE TO OPEN SESSION

MOTION: Franklin LaDien moved, seconded by Kristi Sullivan, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:59 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Kristi Sullivan moved, seconded by Franklin LaDien, to affirm all motions made in closed session. Motion carried unanimously.

STIPULATIONS, FINAL DECISIONS, AND ORDERS

MOTION: Terry Maves moved, seconded by Kristi Sullivan, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against 12PHM070 (S.M.B.). Motion carried unanimously.

Terry Maves recuses himself in the deliberation, discussion and voting in the matter of 13PHM035 (K.J.Z.).

MOTION: Charlotte Rasmussen moved, seconded by Franklin LaDien, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against 13PHM035 (K.J.Z.). Motion carries.

MOTION: Philip Trapskin moved, seconded by Kristi Sullivan, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against 14PHM003 (A.R.P.). Motion carried unanimously.

ADMINISTRATIVE WARNINGS

MOTION: Cathy Winters moved, seconded by Kristi Sullivan, to issue the administrative warning in the matter of case number 13PHM031 (J.K.H.). Motion carried unanimously.

MOTION: Franklin LaDien moved, seconded by Charlotte Rasmussen, to issue the administrative warning in the matter of case number 14PHM047 (F.B.T.). Motion carries. *Philip Trapskin votes against.*

CASE CLOSINGS

13PHM024 (B.D.J.)

MOTION: Kristi Sullivan moved, seconded by Terry Maves, to close DLSC case number 13PHM024 (B.D.J.), for prosecutorial discretion (P3). Motion carried unanimously.

Terry Maves recuses himself in the deliberation, discussion and voting in the matter of 13PHM061 (A.P.).

13PHM061 (Aurora Pharmacy)

MOTION: Philip Trapskin moved, seconded by Charlotte Rasmussen, to close DLSC case number 13PHM061 as it relates to Aurora Pharmacy, for insufficient evidence (IE). Motion carries.

14PHM047 (Wal-Mart)

MOTION: Cathy Winters moved, seconded by Charlotte Rasmussen, to close DLSC case number 14PHM047 as it relates to Wal-Mart for no violation. Motion carried unanimously.

MONITORING MATTERS

Franklin LaDien recuses himself in the deliberation, discussion and voting in the matter of Scott Isaacson – Reduction in Screenings.

SCOTT ISAACSON – REDUCTION IN SCREENINGS

MOTION: Terry Maves moved, seconded by Philip Trapskin, to **grant** Scott Isaacson's request to reduce the number of individual and/or group therapy sessions to once per month. The Board **denies** Scott Isaacson's request to reduce drug and alcohol screens due to insufficient time under the current Order. The remaining terms and conditions of Order LS0610191PHM remain in effect. Motion carries.

MICHAEL IVEY – MODIFICATION OF ORDER

MOTION: Franklin LaDien moved, seconded by Charlotte Rasmussen, to deny the request of Michael Ivey for a change of practice limitations that would allow 24 hours per week worked without the direct supervision of a Pharmacist. **Reason for Denial:** Has yet to work under the supervision of a Pharmacist since the inception of Order LS0907232PHM. Motion carried unanimously.

ERIN ORTH – FULL LICENSURE

MOTION: Charlotte Rasmussen moved, seconded by Franklin LaDien, to deny the request of Erin Orth for full licensure. **Reason for Denial:** Non-compliance with Order LS0909235PHM; specifically consumption of alcohol in June 2013 and two positive alcohol screens in the last 12 months. Motion carried unanimously.

BOARD MEETING PROCESS (TIME ALLOCATION, AGENDA ITEMS)

APPEARANCE – DSPS STAFF – DLSC PAPERLESS SCREENING PANEL INITIATIVE

ADJOURNMENT

MOTION: Kristi Sullivan moved, seconded by Terry Maves, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 3:30 p.m.